

REMARKS

The applicants note that the claim for priority under section 119 has not been acknowledged. Certified copies of the priority documents (JP 2001-127582, JP 2001-131523) were filed in the parent application. Acknowledgement thereof is respectfully requested.

The applicants acknowledge and appreciate receiving a copy of form PTO-1449, on which the examiner has initialed all listed items.

Claims 9 – 15 are pending. Claims 1 – 9, elected in the parent application, were previously canceled without prejudice or disclaimer. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Counsel for applicants wish to thank the examiner for the courtesy of the telephonic interview on February 1, 2005. The following provides a summary of the substance of the interview.

Claims 9 – 15 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 6,242,824, Torii (“Torii”). The rejection, insofar as it may be applied to the claims as amended, is respectfully traversed for reasons including the following, which are provided by way of example.

As described in the application, the invention recognizes a problem that can be caused, for example, by a misalignment between respective rotational axes of driving-side rotator and rotatable shaft (e.g., specification page 3, line 15 – page 4, line 3). Independent claim 9 as amended now recites, in combination, a coupling means including: “a driving-side rotator, which is connected with the rotatable shaft to rotate integrally with the rotatable shaft and which includes a resilient holding portion for resiliently holding the driving-side rotator around the

rotatable shaft; and a driven-side rotator, which is connected with the worm shaft to rotate integrally with the worm shaft and is engageable with the driving-side rotator in a rotational direction.” Support for this amendment is located, for example, on page 23, line 11 – page 24, line 10 of the original specification. Thereby, even if there is a misalignment between the rotational axis of the driving-side rotator and the rotational axis of the rotatable shaft, the resilient holding portion is resiliently deformed.

In the parent application, similar elements rendered original claim 5 to be allowable. In the parent case, allowable claim 5 (corresponding to claim 6 of the issued patent Pat. No. 6,727,613) recites “a motor according to claim 1, wherein the driving-side rotator further includes a resilient holding portion for resiliently holding the driving-side rotator around the rotatable shaft.” Although claim 1 of the ‘613 patent was initially rejected, claim 5 was nevertheless indicated as allowable over Torii.

The office action asserts that Torii anticipates the invention as claimed. To the contrary, Torii fails to set forth each and every element found in the claims. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Torii fails to teach or suggests, for example, a “resilient holding portion,” as claimed. (See, e.g., claim 9.) It is noted that the examiner has admitted in the parent case that Torii fails to teach or suggest such element.

Torii fails to teach or suggest, for example, these elements recited in independent claim 9. It is respectfully submitted therefore that claim 9 as amended is patentable over Torii. At the interview, the examiner agreed that claim 9 as amended is patentable over Torii.

For at least these reasons, the combination of features recited in independent claim 9, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Torii clearly fails to show other claimed features as well.

With respect to the rejected dependent claims, applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claim 9, but also because of additional features they recite in combination.

The applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicants do not concede that the cited prior art shown any of the elements recited in the claims. However, the applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

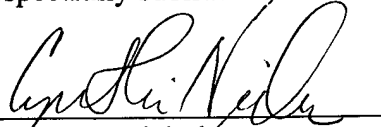
The applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the forgoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

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Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Cynthia K. Nicholson', written over a horizontal line.

Cynthia K. Nicholson

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